

CONSTRUCTION LAW CASEBOOK

(Volume 1)

Special Lecturer:

Harvey J. Kirsh Cassels, Brock & Blackwell

September, 1993

AOT - 9043

14 1457 1773 V. (

BORA LASKIN LAW LIBRARY

AUG 17 1993

FACULTY OF LAW UNIVERSITY OF TORONTO UNIVERSITY OF TORONTO

CONSTRUCTION LAW CASEBOOK

(Volume 1)

Special Lecturer:

Harvey J. Kirsh Cassels, Brock & Blackwell

September, 1993

Digitized by the Internet Archive in 2018 with funding from University of Toronto

CONSTRUCTION LAW: COURSE OUTLINE

Special Lecturer:

Harvey J. Kirsh

Cassels Brock & Blackwell

Faculty of Law, University of Toronto 1993 - 1994 Academic Year

	VOLUME 1	PAGE
I.	INTRODUCTION Sept. 9, 1993	
	Readings • construction pyramid	1
II.	CONSTRUCTION CONTRACTS Sept. 23, 1993	
	 <u>Readings</u> Lloyd D. Cadsby, "The Construction Contract", 17 C.L.R. 37 	2
	CCDC 2 -1982 contract	17
	 Michael Atkinson, "Proposed Revisions to Standard Stipulated Price Contract CCDC 2-82", Construction Law Letter, Vol. 9, No. 5 	41
	 proposed CCDC 2 -1993 contract - Draft #2 (Nov. 20, 1992) 	44
	Short Form Subcontract (CCA S-1 - 1984)	107
	• Long Form Subcontract (CCA L-1 - 1982 Rev. 1984)	114
	 John Westeinde, "Construction is Risky Business", 29 C.L.R. 119 	133
	Lori Roth, "Legal Corner" articles on "pay when paid" clauses	138

	Timbro Developments Ltd. v. Grimsby Diesel Motors Inc. et al (Ont. C.A.) 32 C.L.R. 32	142
•	Construction Management Contract (CCA 5-1988)	144
	Canadian Standard Form of Agreement Between Client and Architect (Nov. 1987 edition)	167
	O.A.A. Abbreviated Form of Agreement between Client and Architect (Feb. 11, 1985)	187
	Barry D. Torno, "By Design: A Blueprint of Architectural Copyright", Construction Law Letter, Vol. 1, No. 1	196
	RUCTION TENDERS / BIDS et. 30, 1993	
Rea	adings	
	Ontario Bid Depository Standard Rules and Procedures (6th ed.)	
i	John Leckie, "Some contractors welcome increase in prequalification", <u>Daily Commercial News</u> , Friday, March 26, 1993, at p. 9	198
	Mary Jo Cartwright, "Invited Tendering", Construction Business Magazine (Sept./Oct. 1987), at p. 26	200
	Harold A. Emsig, "How a Bid Depository Works", 8 C.L.R. 249	202
•]	Bid Bond (CCDC 220-79)	205
	The Queen v. Ron Engineering & Construction (Eastern) Ltd. [1981] 1 S.C.R. 111	206
4	Chinook Aggregates Ltd. v. Municipal District of Abbotsford et al., 28 C.L.R. 290 (County Court);	224

III.

	• Acme Building & Construction Ltd. v. Newcastle (Town), 2 C.L.R. (2d) 308 (C.A.; Leave to appeal to S.C.C. refused)	242
	• M. J. Peddlesden Ltd. v. Liddell Construction Ltd. (1981), 128 D.L.R. (3d) 360 (B.C.S.C.)	246
	• Scott Steel (Ottawa) Ltd. v. R. J. Nicol Construction (1975) Ltd., unreported	253
	 David R. Percy, "Radical Developments in the Law of Tenders: A Canadian Reformulation of Common Law Principles", (1988), 4 C.L.J. 171 	274
	• Derek A. Brindle, "The Law of Tenders", 50 C.L.R. 245	288
IV. CO	NSTRUCTION DISPUTES / CLAIMS Oct. 7, 1993	
	 Readings Stephen G. Revay, "Selected Damage Issues in Construction Litigation", 16 C.L.R. 217 	318
	 Stephen G. Revay, "Calculating Impact Costs", 27 C.L.R. 239 	355
	 Lawlor Rochester, "Non-Pecuniary Damages for Breach of a Construction Contract", 13 C.L.R. 63 	387
	 Harvey J. Kirsh, "The Eichleay Formula: Computing and Recovering Unabsorbed Head Office Overhead Incurred by Contractors as a Result of Owner-Caused Delay", 2 C.L.R. (2d) 236 	392

•